



6-10-04

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IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

In re Patent Application of

GROUP NUMBER 3732

JOHNSON, GARY E.

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PO BOX 2327  
ARLINGTON, VA 22202

EN 564626241 US

~~Primary Examiner~~

Pages

Serial No.:09/204,866  
Filed: 3 Dec. 1998

For: POWERED CUTTING  
SURFACE WITH PROTECTIVE  
GUARD FOR EQUINE TEETH  
Group: 3732

Examiner: John J. Wilson  
Primary Examiner

  
John E. Halamka  
Dated: 8 June 2004  
Palos Verdes Estates, California

8 June 2004

SUPPLEMENTAL RESPONSE

Honorable Assistant Commissioner of Patents and Trademarks  
Washington, D. C. 20231  
Attn: John J. Wilson

Dear Examiner Wilson:

Responsive to the Notice that the application is in condition for allowance EXCEPT for formal matters dated February 11 2004 and the Advisory Action dated 5/7/04, it is requested that the following remarks be added to the file.

The examiner points out that Figure 5 contains A, B and C. The specification should be consistent with the reference to Figure 5 to distinctly point out which part of Figure 5 is being discussed. Applicant's attorney has corrected this inconstancy.

The examiner stated that Figure 12 is ambiguous in that it contains two "B" designations and must be corrected. Also, the substitute page 21 of Fig. 6 does not agree with the requested changes.

Applicant's attorney had previously responded but found this file in disorder and thus had difficulty with each of the request.

Applicant's attorney wishes to express his appreciation to the examiner for supplying a copy of Figure 12 and the entire specification and claims as on file with the U.S. Patent Office. This has greatly assisted applicant's attorney in a complete review of the application to insure consistency and to address the above issues.

The issue of two "B" designations in Figure 12 is easy. The bottom "B" was intended to designate back consistent with the other letters F for Front and S for Side. However, applicant's attorney initial solution of adding words to the drawing was incorrect. The present solution is to redesignate F, B and S as X, Y and Z. A redlined drawing showing the change and a new formal drawing corresponding to the red line corrections is submitted with this supplemental response.

Upon review of Figure 12, Applicant's attorney noticed discrepancies between the informal drawing, the drawings received from the patent draftsman and what was believed to be submitted as the formal drawing. These discrepancies are also shown in the red lined Figure 12 and incorporated into the new formal drawing of Figure 12. Applicant's attorney respectfully requests the entry of the new formal drawing of Figure 12 into the record.

The detected discrepancies occur in items labeled "A", "B" and "C" at the top of Figure 12; all are identical in shape. This is not in conformance with the informal drawing for Figure 12 filed with the application. The informal drawing clearly shows the different shapes of A, B and C. During the course of production of original formal drawing previously submitted, A, B and C were ALL THE SAME SHAPE.

In the specification on file with the USPTO, on Page 19, starting at line 4, the description of Figure 12 contains the following language, "Figure 12 A, B and C illustrate three shapes, left, right and balanced, respectively of a type of extended guard 406 which may be removably attached to the base 415 to provide extra separation between the fleshy material and the cutting surface 302".

Thus, Figure 12, A, B and C does not conform to the specification.

Applicant's Attorney respectfully asserts that no new matter is being added to the application by having A, B and C configured as specified - three slightly different shapes - right, left and centered.



IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE

Docket No.: PA1615

Express Mail No.: ER564626241US

In re Patent of  
JOHNSON, GARY

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For: SUPPLEMENTAL RESPONSE



JOHN E. HALAMKA  
Dated: 8 June 2004  
Palos Verdes Estates, Los Angeles County  
California



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The commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 08-0207. A duplicate copy of this sheet is enclosed.

Extension fee for one month of \$55.00.

Any additional fees under 37 CFR.

Any processing fees under 37 CFR.

Respectfully submitted,

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